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April 12, 2024

Hon. Denise L. Cote
United States District Court
for the Southern District of New York
500 Pearl St.
New York, NY 10007-1312

**Re: *Mind Medicine (MindMed) Inc. v. Scott Freeman et al.*, Case No. 1:23-cv-07875 –
Application to Restore Action Temporarily**

Dear Judge Cote:

We write on behalf of Plaintiff Mind Medicine (MindMed) Inc. (“MindMed”) in response to the Court’s March 13, 2024 Order of Discontinuance (ECF No. 74) and to request that the Court temporarily restore the above-entitled action.

As noted in Your Honor’s Order, as of March 13, the parties had reached a settlement in principle, which included a fully executed and detailed term sheet. That settlement and the corresponding term sheet were the result of extensive negotiations overseen by Court-appointed mediator Richard Rosen. After Mr. Rosen informed the Court of the settlement, the Court issued an Order discontinuing the case without prejudice to restoring the action if an application was made by April 13, 2024. See ECF Nos. 73, 74.

Over the past month, the parties drafted and negotiated the terms of the final settlement agreement and various supporting documents. As of today, the settlement agreement is final and the parties are in the process of executing the agreement. Moreover, pursuant to the terms of the agreement, Defendants must fulfill certain commitments before MindMed can seek dismissal of the case. Accordingly, MindMed respectfully requests that the Court restore the above-entitled action until May 8, 2024. On or before May 8, 2024, MindMed anticipates that it will be able to inform the Court that it is ready to dismiss the action. At that time, and pursuant to the terms of their settlement agreement, the parties will jointly seek entry of a stipulated injunction—the language of which has already been negotiated and finalized. MindMed would be happy to share the stipulated injunction with the Court now if preferred.

Thank you for your continued assistance with this matter. If the Court needs any additional information to temporarily restore the above-entitled action until May 8, 2024, please let us know.

Sincerely,
COOLEY LLP

s/Sarah M. Lightdale
Sarah M. Lightdale

Attorneys for Plaintiff Mind Medicine (MindMed) Inc.